

REMARKS

The present invention, as defined in Claims 14 and 27, has a combination of structural features, not found in the references.

These features include:

1) a closed anterior wall and side walls which are divergent toward the front, and upper and lower walls which are divergent toward the front; and

2) the upper and lower walls are convex, and the side walls are flat, and the upper and lower walls are convex along the transverse, but not the longitudinal, direction.

The following shows the source of each of the above features, in the independent claims:

A closed anterior wall (Claim 14, line 16; Claim 27, line 16);

Flat side walls divergent toward the front (Claim 14, lines 5-6; Claim 27, lines 5-6);

Convex upper and lower walls divergent toward the front (Claim 14, lines 4-5; Claim 27, lines 4-5);

The upper and lower walls are convex along the transverse axis (Claim 14, lines 10-11; Claim 27, lines 17-19).

1. Jackson

Jackson does not show a closed anterior wall. The anterior wall 30 of Jackson has a slit which is permanently open, to allow the device to expand as shown in Figure 7. The anterior wall of the present invention is solid, and permanently closed.

The cross-section of Jackson is generally square. Jackson fails to

show convex upper and lower walls and flat side walls.

While the upper and lower walls of Jackson diverge when the device is expanded, the side walls never diverge. The present claims require that both the upper and lower walls, and the side walls, diverge toward the front.

2. Schlöpfer

Schlöpfer shows convex upper and lower walls, but the direction of the convexity is longitudinal, not transverse. Compare Figure 1 of Schlöpfer with Figures 1, 2, or 7 of the present application. Both Claims 14 and 27 require that upper and lower walls be convex along the transverse axis. With regard to Claim 27, Applicants note that the claim requires (see the last clause of the claim) that the width be less than the height along each cross-section, contrary to what is shown in Schlöpfer.

Also, Schlöpfer fails to show upper and lower and side walls which diverge toward the front. On the contrary, the upper and lower walls of Schlöpfer converge at the front and back of the device. The side walls of Schlöpfer are flat, and they neither diverge nor converge.

The above features have technical advantages which are explained in the previous Amendment. Applicants incorporate the arguments of that Amendment by reference.

Applicants therefore submit that the claims contain a combination of features which is neither shown nor suggested by either Jackson or Schlöpfer, or by their combination.

Applicants therefore submit that all of the pending claims are allowable, and request reconsideration by the Examiner.